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**JUL 27 2006**  
**OFFICE OF PETITIONS**

In re Application of :  
Pellegrino et al. :  
Application No. 08/581,992 : DECISION ON PETITION  
Filed: 2 January, 1996 :  
For: METHOD FOR DETERMINING THE :  
RISK ASSOCIATED WITH LICENSING :  
OR ENFORCING INTELLECTUAL :  
PROPERTY :

This is a decision on the petition filed on 19 June, 2006, under 37 CFR 1.137(b), to revive the above-identified application.

The petition is **DISMISSED AS MOOT**.

A review of the record reveals that on 18 January, 2006, a non-final Office action was mailed, setting a three (3) month shortened statutory period for reply.

On 19 June, 2006 (certificate of mailing date 16 June, 2006), the present petition was filed, accompanied by a reply to the last Office action.

The non-final Office action mailed on 18 January, 2006, set a three (3) month shortened statutory period, for which extensions of time were available in accordance with 37 CFR 1.136(a). As the reply filed with a certificate of mailing dated 16 June, 2006, was filed two (2) months after the end of the shortened statutory period, said reply is timely with a two (2) month extension of time. The petition is therefore properly treated as a petition for a two (2) month extension of time under 37 CFR 1.136(a).

As such, the application is not abandoned, but rather the reply is considered timely filed with a two month extension of time.

Applicant will be charged \$225.00 for a two month extension of time. The balance of the petition fee will be refunded by Treasury Check.

As the application was not abandoned in fact, the petition to revive is unnecessary and will be dismissed as moot.

The application is referred to Technology Center Art Unit 3624 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3231.

A handwritten signature in black ink, appearing to read "D. Wood", with a stylized flourish at the end.

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions